

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 92-300-C - ORDER NO. 92-922
OCTOBER 21, 1992

IN RE: Application of RD&J Communications) ORDER
 Management Group, Inc. for Approval) GRANTING
 to Provide "0+ Collect Call" Service) APPROVAL TO
 in South Carolina.) PROVIDE SERVICE

This matter is before the Public Service Commission of South Carolina (the Commission) by way of the Application of RD&J Communications Management Group, Inc. (RD&J or the Applicant) requesting authority to include a new service offering which would allow it to provide "0+ Collect Call" service for telephones in confinement facilities in the State of South Carolina.

The Commission's Executive Director instructed to RD&J to publish a prepared Notice of Filing and Hearing in newspapers of general circulation in the affected areas one time. The purpose of the Notice of Filing and Hearing was to inform interested parties of RD&J's Application and the manner and time in which to file the appropriate pleadings for participation in the proceeding. RD&J complied with this instruction and provided the Commission with proof of publication of the Notice of Filing and Hearing. Petitions to Intervene were filed by Southern Bell Telephone and Telegraph Company (Southern Bell) and the South Carolina Department of Consumer Affairs (the Consumer Advocate).

A hearing was commenced on Thursday, October 1, 1992, at 10:30 a.m. in the Commission's Hearing Room. The Honorable Henry G. Yonce, presided. Russell B. Shetterly, Esquire, represented RD&J; Carl F. McIntosh, Esquire, represented the Consumer Advocate; William F. Austin, Esquire, represented Southern Bell; and Marsha A. Ward, General Counsel, represented the Commission Staff.

After full consideration of the applicable law and the evidence presented by each of the parties, the Commission makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. RD&J presented the testimony of James F. Rees, Jr. in support of its Application. Mr. Rees explained RD&J's request to provide "0+" collect only interLATA and intraLATA service, to provide "0+" collect only local service, and to provide other services from confinement facilities consistent with prior Commission rulings. Mr. Rees explained that inmates will be able to complete only coinless, collect calls using an automated telephone. He testified that the called party must positively accept the collect call. In the event an answering machine is reached by the calling party, a message is sent back at no charge that an answering machine was reached. In the event the called party has a rotary telephone, a positive response is indicated by the called party remaining on the line. Mr. Rees testified that all calls are branded to the calling and called party by RD&J.

2. Mr. Rees testified that RD&J will block all 800, 900, 976, 911, and directory assistance calls. He testified that, at

the request of the confinement facility, calls to a specific telephone number could be screened and denied to prevent harassment.

3. Mr. Rees testified that all calls from confinement facilities will be handled through Feature Group D access network of the LEC. The call is passed on to MCI's digital trunk unit. Billing is handled by a contract with Resurgens Communications Group.

4. At the beginning of the hearing, Southern Bell placed a stipulation between itself and RD&J in evidence. This stipulation addressed the terms of RD&J's request for authority. Hearing Exhibit No. 1. Thereafter, Southern Bell withdrew from further participation in the proceeding.

CONCLUSIONS OF LAW

1. The Company was granted a Certificate of Public Convenience and Necessity in Docket No. 90-553-C, by Order No. 90-1177, issued December 18, 1990. Based upon its experience, financial resources, capability, and assertion that it will comply with all applicable rules and regulations of this Commission, the Commission determines that RD&J's request to provide "0+ Collect Calling" Service from confinement facilities should be granted consistent with its Stipulation entered into with Southern Bell as follows:

- (1) The Applicant requests the authority to provide automated "0+" intraLATA and/or automated local operator assisted service to confinement

facilities. Such request for authority will clearly be limited to automated calls originating from confinement facilities.

- (2) Any request for authority by the Applicant other than that outlined in (1) above will be limited to authority for interLATA service only.
- (3) Any operator services provided other than those outlined in (1) above should be only for interLATA calls and any "0+" or "0-" intraLATA calls will be handed off to the LEC.
- (4) If any unauthorized intraLATA calls are inadvertently completed by the Applicant, the Applicant should reimburse the LEC pursuant to the Commission's Order in PSC Docket No. 86-187-C.
- (5) Should Southern Bell file with this Commission an amendment to its tariffs which would authorize Southern Bell to provide billing and collection service to COCOT operators providing collect service from confinement facilities, the Applicant stipulates that it will not intervene in such a proceeding if the tariff as filed by Southern Bell will not directly and adversely affect the operations of the Applicant.

3. The Commission adopted rate design for RD&J for its resale services for interLATA calling which includes maximum rate

levels for each tariff charge set forth in Order No. 90-1177, supra is applicable to the service authorized herein. The Commission adopts RD&J's proposed maximum rate tariff and adopts the rates for provision of services to confinement facilities.

4. RD&J shall file its tariff and an accompanying price list in a three ring notebook to reflect the Commission's findings within thirty (30) days of the date of this Order.

5. The rates charged "0+" collect calls from confinement facilities on a local or intraLATA basis shall be no more than the rates charged by the LEC for local or intraLATA operated assisted calls at the time such call is completed.

6. The rates charged for "0+" collect calls from confinement facilities on an interLATA basis shall be no more than the rates charged for interLATA operator assisted calls by AT&T Communications at the time such call is completed.

7. The Applicant is required to brand all calls so that it is identified as the carrier of such calls to the called party.

8. A "0+" collect call should only be completed upon positive or affirmative acceptance of the charges from the called party. Passive acceptance is prohibited.

9. Call detail information submitted by RD&J to the LECs for billing must include the COCOT access line number assigned to the line by the local exchange company.

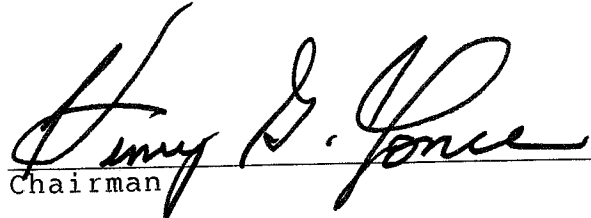
10. The bill provided to the called party should provide RD&J's name and a toll-free number for contacting RD&J concerning any billing or service questions.

11. RD&J shall comply with all Commission guidelines pertaining to the provision of COCOT service as set forth in Docket No. 85-150-C and any other relevant proceedings. Any departure from those guidelines will not be allowed without a specific request and Commission approval of the requested waiver.

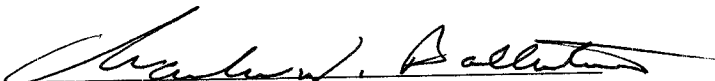
12. The Commission hereby notifies RD&J that, as with other providers of confinement facility telephone services, it will carefully scrutinize RD&J's activities to ensure that it is complying with all of the Commission's Rules and Regulations and with its tariff.

13. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)